

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>DAVID BELL,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 04-CV-0317-CVE-FHM</b>
	)	
<b>RON WARD, Director; JAMES SAFFLE;</b>	)	
<b>JIM RABON; MELINDA GOILFOYLE;</b>	)	
<b>DELORES RAMSEY; BARBARA CUBITT;</b>	)	
<b>DEBBIE MCHAFFY; KEVIN PINKERTON;</b>	)	
<b>CAROLYN CHIRSTY,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

This is a 42 U.S.C. § 1983 civil rights action filed by Plaintiff, *pro se*, now a former prisoner. Before the Court is a motion to dismiss/motion for summary judgment filed by Defendants Ron Ward, Jim Rabon, Melinda Guilfoyle, Debbie Mahaffey, Kevin Pinkerton, and Carolyn Christy on October 8, 2004 (Dkt. # 19). Plaintiff has not filed a response to the motion to dismiss/summary judgment.


By Order entered August 15, 2005, the Court directed Plaintiff to file a response to the motion to dismiss/summary judgment within eleven (11) days of entry of the Order or it would be deemed confessed and the requested relief would be granted. The deadline has passed and Plaintiff has not responded to Defendants' dispositive motion. Accordingly, pursuant to LCvR7.1(f), the Court finds that the motion to dismiss/motion for summary judgment filed by Defendants Ron Ward, Jim Rabon, Melinda Guilfoyle, Debbie Mahaffey, Kevin Pinkerton, and Carolyn Christy should be deemed confessed as a result of Plaintiff's failure to respond. The Court also finds that the arguments presented in Defendants' motion to dismiss/motion for summary judgment are well taken and the

motion shall be granted. Because the remaining defendants have previously been dismissed (Dkt. # 21), this matter shall be terminated and judgment entered for Defendants Ron Ward, Jim Rabon, Melinda Guilfoyle, Debbie Mahaffey, Kevin Pinkerton, and Carolyn Christy.

**ACCORDINGLY, IT IS HEREBY ORDERED** that:

1. The motion to dismiss/motion for summary judgment (Dkt. # 19) filed by Defendants Ron Ward, Jim Rabon, Melinda Guilfoyle, Debbie Mahaffey, Kevin Pinkerton, and Carolyn Christy is **granted**.
2. This is a final Order terminating this action.

**IT IS SO ORDERED** this 31st day of August, 2005.

  
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CLAIRE V. EAGAN, CHIEF JUDGE  
UNITED STATES DISTRICT COURT